

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

RONALD SATISH EMRIT,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,

Defendant.

CASE NO. 3:22-cv-00009

ORDER

JUDGE NORMAN K. MOON

Plaintiff Ronald Satish Emrit commenced this action against the Central Intelligence Agency by filing a *pro se* complaint as well as an application to proceed *in forma pauperis*. Dkts. 1, 2. For the following reasons, the Court will grant the application to proceed *in forma pauperis* but dismiss the complaint.

The complaint fails to state a plausible claim on which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B) (applicable to *in forma pauperis* proceedings); *Michau v. Charleston Cty.*, 434 F.3d 725, 728 (4th Cir. 2006) (stating that 28 U.S.C. § 1915(e) governs *in forma pauperis* filings, as well as complaints filed by prisoners, and permits district courts to, on their own motion, dismiss *in forma pauperis* complaints that are frivolous, malicious, or fail to state a claim). To state a claim, “[f]actual allegations must be enough to raise a right to relief above the speculative level,” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007), accepting all well pleaded factual allegations in the complaint as true and taking all reasonable inference in the plaintiff’s favor, *Chao v. Rivendell Woods, Inc.*, 415 F.3d 342, 346 (4th Cir. 2005). A court need not accept as true “legal conclusions, elements of a cause of action, ... bare assertions devoid of further factual enhancement, ... unwarranted inferences, unreasonable conclusions, or arguments.” *Richardson v. Shapiro*, 751 F. App’x 346, 348 (4th Cir. 2018) (quoting *Nemet*

Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255 (4th Cir. 2009) (internal quotation marks omitted)). Courts are to construe the filings of *pro se* litigants liberally, *Haines v. Kerner*, 404 U.S. 519, 520 (1970), but nonetheless, a *pro se* complaint must state a plausible claim to relief, *see Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009).

The Court notes that another federal district court has recently found that Plaintiff “has filed no fewer than 200 civil actions in federal district courts since 2013, and the Middle District of Florida has issued a ‘Vexatious Litigant Order’ in a case he filed there, barring Emrit from filing any new document in that district without first obtaining” prior written approval, and that “many of [Plaintiff’s] other actions have been dismissed as frivolous, malicious, or for failure to state a claim.” *Emrit v. Epic Med. Records*, No. 18-cv-937, 2021 WL 5881976, at *1 (W.D. Wis. Dec. 13, 2021) (citations omitted). This Court recently dismissed another action by Plaintiff for failure to state a claim and failure to prosecute. *Emrit v. PNC Bank*, No. 3:21-cv-29 (W.D. Va. Feb. 16, 2022). In this case, even affording the complaint a liberal construction, Plaintiff’s claims are inscrutable. His complaint fails to include “a short and plain statement of the claim showing that the pleader is entitled to relief,” *see* Fed. R. Civ. P. 8(a)(2), and has failed to state a plausible claim to relief, *see Iqbal*, 556 U.S. at 679.

For these reasons, the Court will **GRANT** Plaintiff’s motion to proceed *in forma pauperis*, Dkt. 1, but **dismiss** Plaintiff’s complaint for failure to state a claim.

It is so **ORDERED**.

The Clerk of the Court is directed to send a certified copy of this Order to Plaintiff.

Entered this 7th day of March, 2022.


NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE